

IN THE CIRCUIT COURT FOR SAINT MARY'S COUNTY

PAUL MILLER III  
23400 Hollywood Road  
Leonardtown, MD 20650

Plaintiff

vs.

\*

Case No.: C-18-CV-21-000163

CPL. BRANDON FOOR #235  
St. Mary's County Sheriff's Office  
23150 Leonard Hall Dr.  
Leonardtown, MD 20650

COMPLAINT  
AND  
ELECTION FOR TRIAL BY JURY

COMES NOW the Plaintiff, by and through counsel, and sues the Defendant, CPL. BRANDON FOOR #235, and, for the plaintiff's cause and causes of action, says as follows:

JURISDICTION

1. This Honorable Court has jurisdiction over the causes of action against the defendant, under Courts and Judicial Proceedings Article, §6-103(b)(3), Md. Ann. Code, because he caused tortious injury in this State by acts committed in this State;

VENUE

2. Venue is appropriate in this County, under Courts and Judicial Proceedings Article, §6-201(a), Md. Ann. Code, as the defendant CPL. BRANDON FOOR #235 is a person employed in this county;

PARTIES

3. The plaintiff is a citizen of the United States;
4. The defendant CPL. BRANDON FOOR #235 is, and was, at all relevant times, a St. Mary's County deputy sheriff;

FACTS COMMON TO ALL COUNTS

5. On 19 July 2018, at approximately 11 am to 2:30pm, CPL. BRANDON FOOR #235 seized Paul Miller, pulled him from the driver's seat of his motor vehicle, and forcibly slammed his body upon the pavement, causing Mr. Miller to lose consciousness, and to suffer fractures of at least six bones in his face, for which Mr. Miller was required to undergo two surgeries;
6. As a proximate and foreseeable result of the defendants' conduct, the plaintiff suffered serious and painful injuries, including, but not limited to, bruises and contusions, suffered severe physical and mental pain and suffering, and incurred expenses for legal services as well as for hospital and physician care;

COUNT ONE  
(42 U.S.C. 1983)

7. The plaintiff hereby realleges, reaffirms, and incorporates the herein, by reference hereto, all above allegations;
8. The apprehension of the plaintiff by the defendant CPL. BRANDON FOOR #235 constituted a seizure under the Fourth Amendment to the Constitution of the United States;
9. The defendant CPL. BRANDON FOOR #235 maliciously, and without legal justification, under color of Maryland State law, used unreasonable and excessive force in performing the aforesaid seizure of the plaintiff, depriving him of the plaintiff's rights under the Fourth Amendment of the Constitution of the United States;
10. As a direct, foreseeable, and proximate result of the deprivation of the plaintiff's rights under the Fourth Amendment, the plaintiff sustained the injuries, alleged above.

WHEREFORE, the plaintiff demands judgment against the defendant CPL. BRANDON FOOR #235 in the amount of \$10,000,000.00 in compensatory damages and punitive damages in the amount of \$10,000,000.00, plus the costs of this suit, including reasonable attorneys' fees, as allowed by law.

by: /s/George Harper  
GEORGE HARPER HA0229  
Attorney for the Plaintiff  
14744 Main Street, Suite 101  
Upper Marlboro, Maryland 20772  
(301) 627-2700

ELECTION FOR TRIAL BY JURY

COMES NOW the Plaintiff, by and through counsel, GEORGE HARPER, and elects to have all issues herein tried before a jury.

by: /s/George Harper  
GEORGE HARPER